

SO ORDERED: April 2, 2012.



A handwritten signature in black ink, reading "Basil H. Lorch III".

Basil H. Lorch III
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

In re:	:	Chapter 11
	:	
EASTERN LIVESTOCK CO., LLC,	:	Case No.: 10-93904-BHL-11
	:	
Debtor.	:	Hon. Basil H. Lorch III
	:	

**ORDER REGARDING COMPLETION OF RULE 2004 EXAMINATIONS
OF FIFTH THIRD BANK**

This matter is before the Court on the Motion for Expedited Telephone Conference to Discuss Completion of Rule 2004 Examinations [Docket No. 1111] (the "Motion"), filed by James A. Knauer, Chapter 11 Trustee, and the Response to the Trustee's Motion for Expedited Telephone Conference to Discuss Completion of Rule 2004 Examinations [Docket No. 1113] (the "Response"), filed by Fifth Third Bank, N.A. The Court, after considering the Motion, the Response, and the arguments of counsel at a hearing on March 28, 2012, now grants in part and denies in part the relief requested in the Motion. Therefore,

IT IS HEREBY ORDERED THAT:

1. The Trustee shall be permitted to take Rule 2004 examinations of up to three hours for each of the following Fifth Third employees: Timothy Spurlock, Anne Kelly, and Patty Voss;

2. The Trustee shall be permitted to conduct additional Rule 2004 examinations of two of the following current or former Fifth Third employees: (a) Krista Rackley; (b) Michael Herr; (c) Doug Hoffner; (d) Bill Hummel; and (e) a representative of Fifth Third's IT Department familiar with Fifth Third's "Focus" system and its ability to save reports. The Trustee shall identify which two of the foregoing witnesses he wishes to examine. The Trustee is permitted up to seven hours for each of these two Rule 2004 examinations, though the Trustee shall endeavor to complete the examinations as efficiently as possible; and

3. The Trustee will only be permitted to take additional Rule 2004 examinations of current or former Fifth Third employees if, after reviewing a motion from the Trustee and a response from Fifth Third, and after a hearing on the matter, the Court finds that there has been a showing of good cause.

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